

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

EXPORT COMMODITY LLC,

PLAINTIFF,

V.

THE PARTNERSHIPS AND UNINCORPORATED
ASSOCIATIONS IDENTIFIED ON SCHEDULE A,

DEFENDANT.

CASE NO.: 23-cv-15059

JUDGE JOHN F. KNESS

MAGISTRATE JUDGE YOUNG B.
KIM

DECLARATION OF XU MIAO IN SUPPORT OF DEFENDANT'S MOTIONS

I, Xu Miao, declare as follows:

1. I am Xu Miao, the Chief Technology Officer (**CTO**) at Shenzhen Jiayi E-Commerce, Co., Ltd. (**Jiayi**), which operates the internet store, beautifuldeer.com (the **Store**), identified in this lawsuit. In this capacity, I have personal knowledge of the Store's operation and sales and have access to Jiayi's business records.

2. I make this declaration based on my personal knowledge and after reviewing Jiayi's business records under the penalty of perjury. If called as a witness, I can competently testify to the matters stated herein.

3. Jiayi is incorporated and has its principal place of business in China. Jiayi operates the Store exclusively in China. Jiayi has never owned or utilized an office, hired employees, agents, or representatives, maintained bank accounts, owned assets or properties, or qualified to do business in Illinois or any other part of the United States.

4. Neither the Store nor Jiayi has targeted Illinois residents with their advertisements,

nor directed any marketing efforts or materials at Illinois.

5. Export Commodity LLC (the **Plaintiff**) alleges the Store has infringed on its copyrights and trademark. The products in question are spoof toy arms that can be attached to chickens or other animals. Specifically, Plaintiff's counsel has provided the attached **Exhibit A**, which shows the allegedly infringing products (collectively, **Alleged Products**).

6. After reviewing the amended complaint and Exhibit A provided by counsel, I conducted a diligent search of the Store's sales records for the Alleged Products. **Exhibit B** contains the complete and accurate sales records, maintained in the ordinary course of Jiayi's business.

7. Exhibits B shows that the Store made seven sales, a totaling ten Alleged Products, in the U.S. from June 2021 to December 2023. The total revenue from these sales is less than \$400.

8. Of those sales, only one order was placed in Illinois, which appears to have been made by Plaintiff on September 12, 2023 for the purposes of this litigation. The buyer's zip code and the order number on Exhibit A match those on Exhibits B. The buyer is listed as "John Doe" in Ex. B.

9. There are many similar chicken spoof arm toy products for sale online. A brief search online reveals numerous similar pictures and sales links for such products. Many listings use similar descriptive titles and brand names with key words like "chicken arm," "fist fighting chicken," "fighting chicken," and "funny costume fist fighting chicken." *See* Exhibit C.

10. The Store initially listed the Alleged Products for sale in or before June 2021. At that time, the Store was not aware, nor had any reason to be aware, that it was infringing any

copyrights or trademarks. The Store has not attempted to market or pass off its products as those of the Plaintiff or any other party.

11. The Store has two Paypal accounts for the Alleged Products, jiyiexcellent@outlook.com and jiyi88251@163.com, with respective balances of \$1,531,564.84 and \$8,996.78. Both accounts have been frozen due to the asset restraints currently in place.

12. The Store still plans to continue business operations. However, the existing restraints significantly hinder the Store's liquidity and ability maintain normal operations.

13. Upon notice of the current litigation, Jiayi has permanently removed the listings of the Alleged Products. While the Jiayi is moving to challenge the Preliminary Injunction Order (Dkt. 28), Jiayi assures the court it will not relist the Alleged Products for sale until further ordered by the court.

I declare under the penalty of perjury under the laws of the United States of America that the foregoing is true and accurate.

Executed on this 12th day of May, 2024, in Shenzhen, Guangdong Province, China.

Dated: May 12th, 2024

By: Xu Miao
Xu Miao

EXHIBIT A

233. beautifuldeer

DEFENDANT INTERNET STORE INFORMATION:

Marketplace: Other

Store Name: beautifuldeer

Merchant ID: beautifuldeer.com

Store URL: <https://www.beautifuldeer.com/>

Product URLs: <https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95244;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95245;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95246;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95247;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95248;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95249;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95250;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95251;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95252;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95253;>
<https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95254;>
[https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95255](https://www.beautifuldeer.com/products/fist-fighting-chicken?variant=95255;)

INFRINGEMENT INFORMATION:

Number of Unique Infringements: 12

Screenshots Captured on: October 5, 2023

Intellectual Property Infringed:

Trademarks: ARMED PET (Reg. No. 6,830,822)



Copyrights: ARP-19, ARP-23, ARP-4, ARP-6

Product & Listing Information

← → beautifuldeer.com/products/fist-fighting-chicken 🔍 📄 ☆ 🌐 📱 A ⋮

♥ Free Shipping Over \$49.99 ♥

🇺🇸 USD 🌐 English 🔍 👤 🛒

Fist Fighting Chicken

\$19.99

Style:

Dark Dinosaur Claw Light colored dinosaur claws Muscle arm

BUY MORE SAVE MORE:

BUY 1 3 PCS (SAVE \$15) 🍷 5 PCS (SAVE \$28 & FREE SHIPPING)

🍷 7 PCS (SAVE \$45 & FREE SHIPPING)

Quantity

1

586 visitors currently looking at this product

ADD TO CART

PayPal Pay Later

PayPal VISA mastercard maestro American Express

RECENTLY VIEWED <



Product & Listing Information



rm

ING)

PayPal

Pay Later

Check Out Page

Beautifuldeer

[Cart](#) > [Information](#) > [Shipping](#) > [Payment](#)

Express checkout

PayPal

Pay Later

OR

Contact information

Already have an account? [Log in](#)

Email

f.ginsburg@gmail.com

☒ Email me with news and offers

Shipping address

Country/Region

United States (US)

First name

Graig

Last name

Ginsburg

Address

2743 North Ridgeway Avenue

Apartment, suite, etc. (optional)

City

Chicago

State

Illinois

ZIP code

60647

+1

Phone

(513) 543-2239

☒ Save this information for next time

< Return to cart

Continue to shipping

All rights reserved Beautifuldeer

beautifuldeer*UK

Fist Fighting Chicken

Light colored dinosaur claws / 🦖 🦖 7 PCS (SAVE \$45 & FREE SHIPPING)

Coupon code

Apply

Subtotal

\$ 96.99

Shipping

Calculated at next step

Total

USD \$ 96.99

Page 1159 of 1620

BEAUTIFULDEER

CONTINUED

Order / Purchase Confirmation

Beautifuldeer

✔ Thank you [REDACTED]

Order: 872S203026

Your order is confirmed

You'll receive an email when your order is ready.

Customer information

Contact information

[REDACTED]

Payment method

Credit card - \$ 25.38

Shipping address

[REDACTED]

60446 Illinois
United States (US)
+1 (630) 705-0900

Billing address

[REDACTED]

60446 Illinois
United States (US)
+1 (630) 705-0900

Shipping method

Standard shipping

❓ Need help ? Contact us

Continue shopping

All rights reserved Beautifuldeer
beautifuldeer*UK

Fist Fighting Chicken

Dark Dinosaur Claw / BUY 1

\$ 19.99

Subtotal \$ 19.99

Shipping Insurance \$ 0.40

Shipping \$ 4.99


Total USD \$ 25.38

Seller / Store Information

← → ↻ beautifuldeer.com/pages/contact-us ⌵ ☆ ⚙ □ A ⋮

♥Free Shipping Over \$49.99♥

🇺🇸 USD 🌐 English



🔍 👤 🛒

CONTACT US

If you have any inquiries, be sure to check our FAQ page to see if your questions have already been answered!

Please don't hesitate to hit us up if you have any comments or suggestions, we appreciate you can give us valued opinions to help us improve our services.


If you have questions or concerns then please do not hesitate to get in contact with us. We would love to here from you, contact us on:
Email: support@beautifuldeer.com

RECENTLY VIEWED ^

← → ↻ beautifuldeer.com/pages/about-us ⌵ ☆ ⚙ □ A ⋮

♥Free Shipping Over \$49.99♥

🇺🇸 USD 🌐 English



🔍 👤 🛒

ABOUT US

Our website is designed to help you find the ideal product in the quickest way. That happens here because every one of our team are working for the same goal — providing great customer experiences. We believe that our customers deserve the best services and products, so we are always trying to avoid giving our customers anything less than perfect.

RECENTLY VIEWED ^

EXHIBIT B

 beautifuldeer

Order

All Orders

Abandoned Order

Product manage...

Settings

All Orders

Export

Import

All Unfulfilled


All order status
All delivery...
Start date ~ End date
All payment...
All payment c...
Country/ R...
Payment Status

fist-fighting-chicken
Search

<input type="checkbox"/>	Order number	Payment time	Payment Status	Payment method	Payment channel	Logistics status	Total Amount	Product	Country/ Region	Operation
<input type="checkbox"/>	872S211798	2023-12-16 04:22:39	Paid	Credit card	Credit card	Delivered	\$65.25	3pieces of product	United States of America	Result page
<input type="checkbox"/>	872S203026	2023-09-12 04:02:03	Paid	Credit card	Credit card	Delivered	\$25.38	1pieces of product	United States of America	Result page
<input type="checkbox"/>	872S193092	2023-05-27 04:08:58	Paid	PayPal	PayPal	Delivered	\$57.1	2pieces of product	United States of America	Result page
<input type="checkbox"/>	872S188786	2023-04-21 19:19:04	Paid	PayPal	PayPal	Delivered	\$81.52	3pieces of product	United States of America	Result page
<input type="checkbox"/>	872S150651	2022-08-12 14:46:07	Paid	PayPal	PayPal	Delivered	\$63.01	2pieces of product	United States of America	Result page
<input type="checkbox"/>	8722021061408441995430	2021-06-14 08:44:22	Paid	PayPal	PayPal	Delivered	\$29.42	1pieces of product	United States of America	Result page
<input type="checkbox"/>	8722021061401281595415	2021-06-14 01:28:54	Paid	PayPal	PayPal	Delivered	\$27.38	1pieces of product	Australia	Result page
<input type="checkbox"/>	8722021061317190495404	2021-06-13 17:19:08	Paid	PayPal	PayPal	Delivered	\$54.85	1pieces of product	United States of America	Result page
<input type="checkbox"/>	8722021061216331295362	2021-06-12 16:33:15	Paid	PayPal	PayPal	Delivered	\$29.42	1pieces of product	Australia	Result page

9 total

< 1 > 50 / page

 beautifuldeer





Order

All Orders

Abandoned Order

Product manage...

Settings

   support 

< All Orders

Order Details



<

>

Action

Modify delivery

Order Overview

Product	Specifications	Quantity
 Garden Racer Windmill SKU: QJ1631489-红色	156 racing car with driver Phil Hill	1
 Fist Fighting Chicken SKU: WO1145796-黑色	Dark Dinosaur Claw·BUY 1	1

Shipping Address

Edit

Name	Harrison Burton
Address	15555 Huntersville Concord Rd
Apartment	-
City	Huntersville
Country/Region	United States of America
Province/State	North Carolina
Postcode	28078-6642
Phone	+1 7047795070
Extra information	-

Order Information

Order status:Completed

Payment status:Paid

Total Amount:\$71.38

Order number:872S193092

Payment number:6SJ21919YR0902803

Payment method:PayPal

Payment channel:PayPal

Generation time:2023-05-27 04:08:54

Payment time:2023-05-27 20:08:57

Logistic order number:9400109202033087709356

Client

Unsubscribed

Visitors


Name

Harrison Burton

Contact Information

Mailbox

hburton5112@gmail.com

 beautifuldeer





Order

All Orders

Abandoned Order

Product manage...

Settings

 support 

< All Orders

Order Details




<

>

Action

Modify delivery

Order Overview

Product	Specifications	Quantity
 Fist Fighting Chicken SKU: WO1145796-肉色	Light colored dinosaur claws·BUY 1	1
 Hot Sale-49% OFF Silly Walk Wall Clock SKU: CG1566573-白框	WHITE	1
 Angry Big Mouth Monster -Spooky Halloween Monster SKU: HS1175792-3	Drunk Man	1

Shipping Address

Edit

Name	Stephen Roth
Address	20438 Malden Street
Apartment	-
City	Canoga Park
Country/Region	United States of America
Province/State	California
Postcode	91306
Phone	+1 8186314777
Extra information	-

Order Information

Order status:Completed

Payment status:Paid

Total Amount:\$97.82

Order number:872S188786

Payment number:93511051HT098283S

Payment method:PayPal

Payment channel:PayPal

Generation time:2023-04-21 19:18:59

Payment time:2023-04-22 11:19:02

Logistic order number:9400109202049033494016

Client

Unsubscribed

Visitors


Name

Stephen Roth

Contact Information

Mailbox

drumset4u@yahoo.com

 beautifuldeer

Order

All Orders

Abandoned Order

Product manage...

Settings

< All Orders

Order Details



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>

Action

Modify delivery

Order Overview

Product	Specifications	Quantity
 Golf Training Mat for Swing Detection Batting SKU: NB1070363-30x50cm	1 PCS	1
 Fist Fighting Chicken SKU: TB1145800-肌肉臂	Muscle arm-BUY 1	1

Shipping Address

Edit

Name	Luce Sam
Address	11241 Alley Drive
Apartment	-
City	Jamestown
Country/Region	United States of America
Province/State	California
Postcode	95327
Phone	2093520904
Extra information	-

Order Information

Order status:Completed

Payment status:Paid

Total Amount:\$78.76

Order number:872S150651

Payment number:39D66030MW8421320

Payment method:PayPal

Payment channel:PayPal

Generation time:2022-08-12 14:46:02

Payment time:2022-08-13 06:46:06

Logistic order number:420953279400136202036351374751

Client

Unsubscribed

Visitors


Name

Luce Sam

Contact Information

Mailbox

sam.luce@gmail.com

 beautifuldeer





Order

All Orders

Abandoned Order

Product manage...

Settings

   support 

< All Orders

Order Details


<

>

Action

Modify delivery

Order Overview

Product	Specifications	Quantity
 Fist Fighting Chicken SKU: TB1145800-肌肉臂*3	Muscle arm: 3 PCS (SAVE \$15)	1

Shipping Address

Edit

Name	Ryan Camping
Address	3083 E 3400 N
Apartment	-
City	Twin Falls
Country/Region	United States of America
Province/State	Idaho
Postcode	83301
Phone	(951) 532-5716
Extra information	-

Order Information

Order status:Completed

Payment status:Paid

Total Amount:\$65.82

Order number:8722021061317190495404

Payment number:7KW41490DC7367220

Payment method:PayPal

Payment channel:PayPal

Generation time:2021-06-13 17:19:04

Payment time:2021-06-14 09:19:06

Logistic order number:9400136895232075309282

Client

Unsubscribed

Visitors

Name

Ryan Camping

Contact Information

Mailbox

uvgotryan@gmail.com

EXHIBIT C

3d print

muscle

human arm

labeled

plastic

miranda

toy

dinosaur

strong

middle finger

helmet

buff

skinny

doll

skeleton

baby

fist

accessory

t rex arm



Amazon.com : Ext...



Thumbs Up Chicke...



Amazon.com: Chicken ...



Giftsgates
Chicken Arms – Giftsg...



Amazon.com : In stock
Amazon.com: YUKEI ...



Etsy · In stock
Chicken Arms, Chicken ...



eBay · In stock
Hulk Arms For Chi...



Etsy · In stock
Middle Finger Muscle A...



Super Cluck Co.
Cluckasaurus Rex - Su...



Pinterest
Thumbs Up Chicke...



YouTube
Chicken Arms Compilation from ArmedP...



Ama... · Out of stock
Meme Muscle arm...



ThisIsWhyImBroke
Muscular Chicken Arms



Ali3DP
3D Printed Chicken Arms: Fun & Funny ...



DIYElectronics Blog
3D Printed Arms For Chicken ...



ThisIsWhyImBroke
Chicken Arms



Printables.com
Chicken Arms! - Chick...



Walmart · In stock
ArmedPet Strong Chick...



Chicken Arms
Chicken Arms: Black ...



Etsy · In stock
3D Printed Chicken Ar...



Odditymall
You Can Now Get Tiny T-Rex Chicken A...



Reddit
A chicken with (fak...



Fabbaloo
Design of the Week: Arme...



Sad and Useless Humor
3D Printed Human Arms For Chicken

Related searches

 chicken arms with guns

 chicken arms middle finger

 human chicken arms



Super Cluck... · In stock
Cluckos - Super Chic...



- Shut Up And Take My Mon...
Middle Finger Chicken Ar...



Bored Panda
Buy Arms For Your Chicken ...



ThisIsWhyImBroke
Chicken Arms



YouTube
3D Printed Chicken Arm Fun in Alaska ...



Reddit
we've had chicken ar...



GoodBuy.ai
Chicken Arms Made ...




AliExpress
Funny Fighting Chicken Arm...




Sad and Useless Humor
3D Printed Human Ar...




Amazon.com
Amazon.com: YUKE




Ubuy Kosovo
Chicken Arms Toy Silico...




Blow My Budget
Clucky Balboa Chicken Arms - ...




3D Universe
3D Printed Arms For Chickens?




Laughing Squid
Tiny 3D Printed Bab...




Etsy · In stock
Green Monster Arm...




Bored Panda
Buy Arms For Your Chicken ...




YouTube
Chickens With T-Rex Arms - YouTube




AliExpress
Funny Fighting Chicken ...



Redbubble
Chicken Arms Merch & Gi...



Amazon.com
Amazon.com: Thumbs U...



Chook Manor · In sto
Chicken Arms Funny



Awesome Inventions



chicken-arms.com



chicken-arms.com



Odditymall



chicken-arms.com

Related searches

 chicken arms gun

 chicken arms for sale

 buff chicken arms



Printables.com



YouTube



GoodBuy.ai · In stock



Sad and Useless H...



Walmart · In stock



Facebook



Amazon.com



Fist Chicken Arms Made in Texas USA Meme Fist Fighting Chicken : Amazon.sg: Pet Supplies

Visit >



DEPARTMENTS ▾



Search over 10,000,000 products & 20,000 brands...



HELP



ACCOUNT



0 ITEMS

Toys & Games ▸ Toys ▸ Educational Toys ▸ Science & Exploration Sets



Chicken Arms, Chicken Arms To Put On Chickens, Fist Fighting Chicken Toys Doll Arms Muscle Chicken Arms

Brand: Unbranded Colour: G

More colour options in stock



Price: ~~₩27,690~~

~~₩27,690~~

+ ~~₩10,899~~ Shipping

In stock

Quantity

1 ▾

BUY NOW

ADD TO BASKET

We accept the following payment methods



Description

Mischief GiftGive your chickens unparalleled confidence in no time with this pair of chicken arm toys
This is definitely a great prank gift for friends on various holidays (eg Halloween, Easter).
Perfect CombinationThis package contains 1 pairs of chicken arms and 1 wires, making the chicken arms more delicate and durable. Good flexibility and reusability to suit your needs. The chicken arm simulates a doll arm and brings more fun to your chicken.
Easy to useThe chicken arms are connected by iron wires and are already assembled, you just need to hang the chicken arms around the chicken neck and adjust the width of the chicken arms to make your pet move comfortably.
High-quality & ReusableThe chicken arm toy is made of high-quality and safe materials, carefully processed, durable and soft. Reusable and just use a clean cleaning cloth to easily remove surface dirt.
Widely UsedWhen your chicks wears the arm toys for Halloween, cosplay, costume competitions, pet themed parties, it will definitely attract a lot of attention.

Brand: Unbranded Category: Science & Exploration Sets Colour: G

Fruugo ID: 229875437-490565359 EAN: 947258232473 Sold by: Hefeizhaisaowangluokejiyouxiangongsi

Top Brands

Inbev (696)
Hcankcan (510)
SML (494)
HSKMALL (279)
Allinless (193)
Labt (180)
Remorui (140)
OEM (115)
Toyvian (112)

[More](#)